

FILED WITH THE BOARD OF
PSYCHOLOGICAL EXAMINERS
ON July 29, 1996

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC
SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF PSYCHOLOGICAL EXAMINERS
DOCKET NO.

In the Matter of)	
)	Administrative Action
PAULINE RUSH, Ph.D.)	
)	
Applicant for License to)	FINAL DECISION AND ORDER
Practice Psychology in the)	
State of New Jersey)	
_____)	

This matter was opened to the New Jersey State Board of Psychological Examiners upon receipt from Pauline Rush, Ph.D. ("applicant"), of a request to the Board of Psychological Examiners ("Board") for reconsideration pursuant to N.J.A.C. 13:42-5.2 of the applicant's oral examination failure. The Board reviewed the record in this matter including the applicant's work sample (a client case study) submitted to the Board in advance of the oral examination, the oral examination tape, and the applicant's five page, single spaced, written request for reconsideration submitted in accordance with the examination review procedures at N.J.A.C. 13:42-5.2. The Board discussed at length the merits of the applicant's request for reconsideration of her oral examination failure at its regular Board meeting on July 22, 1996. The Board's decision and reasons are incorporated in this Order.

DISCUSSION

The applicant initially filed an application for licensure with the Board in August 1990. She completed the required supervised work experience in September 1991 and passed

the written examination administered in October 1991 with a score of 66.83%. Two previous oral examinations administered by different teams of examiners on November 30, 1992 and July 19, 1993 resulted in failures. The third oral examination which is the subject of the within request for reconsideration was administered on April 21, 1995. By letter dated May 1, 1995, the Board informed Dr. Rush that she failed the third oral examination and provided the reasons for that decision. The letter also advised the applicant that she would be eligible for re-examination one year from the date of the examination just taken. It was recommended that she submit a new work sample at least three months prior to that date.

Dr. Rush requested a review of her oral examination tape within 45 days of the date of the letter of notification of the examination results, and thereafter she requested reconsideration of the Board's decision. The Board's regulation providing for examination review procedures sets forth at N.J.A.C. 13:42-5.2(d) that the Board shall grant a request for reconsideration only upon the candidate's showing of good cause establishing that the request is meritorious and made in good faith. "Good cause" is defined in the rule in four categories, and Dr. Rush chose to base her good cause for reconsideration on proof of a substantial and material error on the part of the examiners (sub-section (4)). However, the Board finds that Dr. Rush failed to establish a showing of good cause that the request was meritorious in that her stated proof of

a substantial and material error on the part of the examiners was not persuasive and not supported by the record.

The Board set forth its reasons for the applicant's oral examination failure in its notification letter dated May 1, 1995. Dr. Rush contested each of the reasons and provided a defense to each in her written request for reconsideration. The first of the Board's reasons for the failure was an inability to discuss the origins of Beck's Cognitive Theory or compare it to other related cognitive-behavioral approaches. For the examiners, this demonstrated an unsatisfactory understanding of the significant issues and/or aspects of her chosen theoretical orientation. The applicant's request for reconsideration provided extensive citations from reference material for the purpose of substantiating her oral examination responses. However, the substantive content of these references was not set forth during the oral examination. Therefore, the Board continues to find that Dr. Rush failed to present adequately the origins and background of cognitive theory. For example, Dr. Rush failed in the oral examination to identify Beck as originally a psychoanalyst, nor did she point out the significance of the fact that Beck was a psychoanalyst who noticed that his patients were monitoring their stream of consciousness with judgmental thoughts about themselves and that when they expressed these thoughts, their anxiety about the content of their speech was reduced. Further, she did not distinguish between Beck and Meichenbaum (another cognitive theoretician) in regard to the behavioral element for which Meichenbaum is known. The applicant's

written response stated that she was prepared at the oral examination to contrast different theories rather than compare the work of those with similar orientation. Since Meichenbaum was not emphasized in her readings, the applicant responded that her oral statement that Meichenbaum contributed to the foundation of cognitive theory should have been sufficient. The Board finds that her stated knowledge was deficient.

The failure notification letter also advised Dr. Rush that she was unable to distinguish clearly the diagnoses of major depression (mild) from dysthymia in her client's case study. In addition, the applicant did not sufficiently account for the symptoms that led her to assign the diagnosis either in her work sample or during the oral examination. The applicant's response in her written request for reconsideration emphasized the importance of the patient's symptoms over a period of time. However, the Board continues to find that the applicant failed to make clear how and why she decided on major depression (mild) as opposed to dysthymia. The criteria discussed by the applicant are applicable to either diagnosis, and Dr. Rush's distinction appeared to be the intensity of the experience and a difference with respect to time which was not thoroughly articulated in her oral examination. In view of the fact that she did not administer any tests, she only had her subjective reactions to rely upon for making a diagnostic judgment. For example, Dr. Rush did not utilize an objective instrument to assess the client's depression such as Beck's Depression Inventory. Therefore, she needed to be especially

specific and clear about how the textbook descriptions of symptoms applied to the specific facts and circumstances of her client's case. In this respect she failed to meet the profession's expected standards for assessment. Accordingly, the Board found unsatisfactory assessment and testing reflected in the applicant's inability to clearly account for the presenting list of distortions from the client and the behavioral changes that may have resulted from her therapeutic intervention.

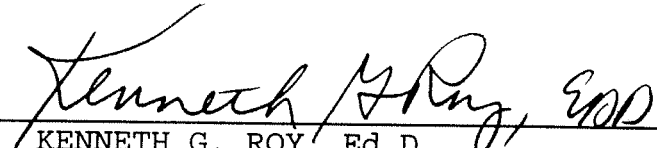
The Board also was concerned that Dr. Rush appeared to be unfamiliar with the large body of literature on depression resulting from the death of a child which happened to be the precipitating event for this client's presentation. The lack of knowledge in this area was viewed as a serious omission in the work sample as well as in the oral examination. The applicant attributes her inability to discuss such studies to the fact that there was a significant lapse of time between the submission of the work sample and the oral examination. The Board would expect that a candidate would refamiliarize herself with the data in preparation for an oral examination for licensure. In her written request for reconsideration Dr. Rush merely refers the Board to page 7 of her work sample which fails to provide citations or data concerning the death of a child and refers the Board as well to a reference that is contained neither in her work sample nor discussed in her oral examination.

Upon review of the applicant's request for reconsideration in conjunction with a review of the applicant's

work sample and oral examination tape, the Board is unable to find that Dr. Rush proved that there was a substantial and material error on the part of the examiners. To the contrary, the Board continues to be persuaded that Dr. Rush fails to meet the threshold required by this Board for the independent practice of psychology.

For all of the above reasons the Board found that Dr. Rush did not establish a showing of good cause that the request for reconsideration of the oral examination was meritorious, i.e. a failure of proof of a substantial and material error on the part of the examiners.

THEREFORE, IT IS ON THIS 29th DAY OF July, 1996,
HEREBY ORDERED that the written request of Pauline Rush, Ph.D. for reconsideration of an oral examination failure pursuant to N.J.A.C. 13:42-5.2 is hereby denied.


KENNETH G. ROY, Ed.D.
CHAIR PERSON
STATE BOARD OF PSYCHOLOGICAL EXAMINERS